

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK BARTELL, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:19-cv-6056

CAROL STEIN, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:19-cv-6057

MARGARET STEPHENS, ET AL.,

Plaintiffs,

v.

COMMUNITY COLLEGE OF
PHILADELPHIA, ET AL.,

Defendants.

CIVIL ACTION

No. 2:20-cv-1659

3. Plaintiffs' claims for declaratory relief for violations of the Older Workers Benefit Protection Act (Count III) are **DISMISSED with prejudice**.
4. Plaintiff Bartell's Americans with Disabilities Act disability discrimination and failure to accommodate claims (Count V of the Bartell Complaint) are **DISMISSED without prejudice**.

It is **FURTHER ORDERED** that Defendants' Motions are **DENIED in part** as to Plaintiffs' ADEA and PHRA age discrimination claims based on disparate impact (Counts II and IV).

It is **FURTHER ORDERED** that **within thirty (30) days of the date this Order**, Plaintiffs may file Amended Complaints to attempt to cure, if they can do so in good faith, the deficiencies outlined the accompanying Memorandum Opinion.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.